

VZCZCXRO1230
PP RUEHDBU RUEHFL RUEHLA RUEHMRE RUEHROV RUEHSR
DE RUEHKB #0079/01 0181050
ZNY CCCCC ZZH
P 181050Z JAN 07
FM AMEMBASSY BAKU
TO RUEHC/SECSTATE WASHDC PRIORITY 2212
INFO RUCNCIS/CIS COLLECTIVE PRIORITY
RUCNOSC/ORGANIZATION FOR SECURITY COOPERATION IN EUROPE PRIORITY
RHMFISS/CDR USEUCOM VAIHINGEN GE PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

C O N F I D E N T I A L SECTION 01 OF 04 BAKU 000079

SIPDIS

SIPDIS

DEPT FOR DRL A/S LOWENKRON, EUR A/S FRIED

E.O. 12958: DECL: 01/18/2017

TAGS: [PREL](#) [PGOV](#) [PHUM](#) [KDEM](#) [IR](#) [RU](#) [AJ](#)

SUBJECT: DRL A/S LOWENKRON'S DECEMBER 19 MEETING WITH
PRESIDENTIAL CHIEF OF STAFF RAMIZ MEHDIYEV

Classified By: Ambassador Anne E. Derse for reasons 1.4 (b,d).

11. (C) Summary: During a December 19 meeting, Presidential Chief of Staff Ramiz Mehdiyev assured DRL A/S Lowenkron that "in line with President Aliyev's recommendation," independent ANS TV will participate in the tender for its frequency and "its activities will be fully restored." Mehdiyev blamed problems in the Azerbaijani media on the opposition and the media itself, arguing that the media prints "libels, lies and rumors" about senior GOAJ officials, including President Aliyev. Insisting that the GOAJ wants "real debate" with a "constructive opposition," Mehdiyev blamed the "radical opposition" for the current lack of dialogue. He later said the GOAJ would consider ways for President Aliyev to show his political support for a GOAJ-opposition dialogue "if you advise us to do so." Mehdiyev acknowledged that much work remains to be done to combat corruption in Azerbaijan and invited the USG and other international partners to participate in a working group that is developing the GOAJ's new anti-corruption program. In response to a query from Lowenkron, Mehdiyev said the GOAJ had identified the killers of journalist Elmar Huseynov but needed help in arresting and extraditing them from Georgia. Mehdiyev also said the GOAJ needed to find out "who organized the crime," noting that former senior Minister of Internal Affairs official Haji Mammadov had linked jailed ex-Minister of Economic Development Farhad Aliyev to the crime. Mehdiyev urged the U.S. to view Azerbaijan's internal developments through a geopolitical prism, noting that Azerbaijan is surrounded by Russia and Iran, and that Iran recently has stepped up its threats against Azerbaijan. End summary.

12. (U) Assistant Secretary for Democracy, Human Rights and Labor Barry Lowenkron, accompanied by the Ambassador, met Presidential Chief of Staff Ramiz Mehdiyev on December 19. (DRL/AE Deputy Director Lisa Heller, Foreign Affairs Officer Wendy Silverman, and Pol/Econ Chief (notetaker) also accompanied.) Mehdiyev was accompanied by Presidential Advisor for Legal Affairs Fuad Alasgarov and Presidential Advisor for Political and Social Issues Ali Hasanov.

US PRIORITIES

13. (C) Lowenkron told Mehdiyev that there were two reasons for his trip: to underscore the critical importance of the U.S.-Azerbaijan relationship; and to follow up on President Aliyev's successful April visit to Washington. Following Aliyev's visit, US policy toward Azerbaijan has focused on three areas of shared interest: security, energy, and democratic reform. Lowenkron emphasized that these three

areas are mutually reinforcing and have been fully endorsed by all levels of the U.S. Government, including by Secretary Rice. He added that the USG appreciated Aliyev's reaffirmation in Washington of his commitment to democratic reform. While the U.S. saw progress in some areas, such as judicial exams and some anti-corruption legislation, we continued to have concerns in key areas such as media freedom and the political process.

MEDIA FREEDOM

14. (C) Underscoring that the closure of independent ANS Television was perceived as an effort to clamp down on media freedoms, Lowenkron asked Mehdiyev to explain the current state of media freedom in Azerbaijan. Lowenkron also expressed USG concern about the inclusion of libel within Azerbaijan's criminal code. Repeating many of the GOAJ arguments presented to the Ambassador during the ANS closure, Mehdiyev said that media issues in Azerbaijan are "politicized and exaggerated." He said that Azerbaijan had adopted a series of laws that ensured a free media environment. Mehdiyev pointed to Azerbaijan's 2,600 mass media outlets as evidence that there are no legal prohibitions on the media. He asserted that "anyone" in Azerbaijan is able to open a newspaper; the only requirement is notification to the Ministry of Justice.

15. (C) Mehdiyev said that Azerbaijan's media is to blame for many of the current problems. The Azerbaijani media, Mehdiyev said, "doesn't want to run its activities like the media in Europe or the U.S." Instead, Mehdiyev argued that that the Azerbaijani media does not want to live by the

BAKU 00000079 002 OF 004

rules. "If we are building democracy in Azerbaijan," Mehdiyev said, "the law must apply to everyone." He said the GOAJ had created the Council on Mass Media to try to address this problem, to ensure that the media "builds its activities in accordance with its legal responsibilities."

16. (C) Mehdiyev said that the closure of independent ANS Television was "not linked to the leadership" and did not have a "political side." He said that the closure resulted from a conflict between ANS and the National Television and Radio Council (NTRC), the GOAJ's media regulator. Mehdiyev said that the NTRC had given ANS 11 warnings of regulatory violations, yet ANS had been operating without a license for more than two years. Mehdiyev asserted that no democratic country would allow a television station to operate without a license for more than two years. Given that this was a matter between the NTRC and ANS, Mehdiyev said the solution should be found "between the two sides." Mehdiyev noted that the NTRC had issued a tender for ANS' broadcast frequency and had informed ANS that it was eligible to participate in the tender. Adding that President Aliyev had expressed his view that the NTRC should find a solution to this problem, Mehdiyev said he believes a solution can be found. Pointing out that the NTRC had allowed ANS to resume broadcasts without a license, Mehdiyev concluded "I think everything will be all right." When pressed by Lowenkron to clarify the GOAJ position, Mehdiyev repeated that "in accordance with the President's recommendation," ANS will "participate in the tender for its frequency and fully restore its activities."

17. (C) Repeating that the current government -- that of former President Heydar Aliyev and current President Ilham Aliyev -- did not have a political problem with ANS, Mehdiyev said that other governments had previously tried to close ANS. Former President Elchibey had closed ANS in 1992, Mehdiyev said, and former Speaker of Parliament Rasul Guliyev also tried to do the same, although Heydar Aliyev resolved that situation. "I assure you," Mehdiyev told Lowenkron, "we stand for ANS, not against it."

18. (C) Mehdiyev alleged that Azerbaijani newspapers routinely print "bad information about high-ranking officials." As an example, he cited a newspaper article that allegedly claimed Mehdiyev's father had fled to Iran and Turkey to escape military service in World War II, and then fought against the Azerbaijani state in 1948, at which point he was killed by a KGB agent. Mehdiyev said the article further claimed that the son of "such person" was not fit to be a high-ranking Azerbaijani official. Mehdiyev argued that Azerbaijani society takes such articles seriously and views them as an "insult against the dignity of high-ranking officials, that cast a shadow on officials' reputations." Mehdiyev claimed that the GOAJ tolerates such articles, but the "Caucasus mentality" cannot tolerate them. He further claimed that the "majority" of Azerbaijani newspapers are in the same situation. "You won't find a single day that an opposition newspaper doesn't write libels, lies and rumors about the President," Mehdiyev said. He claimed that recent headlines had reported that President Aliyev had "beaten up" several of his ministers. Nevertheless, Mehdiyev said that President Aliyev routinely appeals to senior GOAJ officials not to file libel suits against newspapers.

DIALOGUE WITH THE OPPOSITION

19. (C) Turning to the issue of the opposition, A/S Lowenkron noted that the President had proposed another dialogue between the government and the opposition. This would be a positive step and consistent with his Washington statement in support of democratization. A dialogue also could help to address the OSCE's electoral reform recommendations, freedom of assembly, and other issues. Lowenkron then asked Mehdiyev where he saw the issue of dialogue going, and how the US could help.

110. (C) Mehdiyev argued that problems in the Azerbaijani media can be linked to the "mood of our opposition." We understand that we must have an opposition in a democratic society, Mehdiyev said, and the leadership is ready to cooperate with a "constructive" opposition. We are ready to engage in a sound political context with a constructive opposition, he repeated; we are happy to see good ideas and projects from the opposition. But the assistance of our US friends is needed to help navigate this transition, Mehdiyev

BAKU 00000079 003 OF 004

said.

111. (C) Elaborating on the need for a "constructive" opposition, Mehdiyev said that a true dialogue between the opposition and government should be a debate. Mehdiyev claimed that the opposition had resorted to violence in the "last several years," and that "everyone" in the "radical opposition" thinks this way. Asserting that today's opposition had acceded to power with violence in 1992, Mehdiyev said the opposition continues to believe it can use violence to come to power; (Comment: 1992 HRR states that the Popular Front responded to Mutalibov's parliamentary coup and "took power in a nearly bloodless counter-coup.") He also alleged that the opposition does not want to abide by Azerbaijan's laws. He added that the opposition prefers to issue "groundless statements" instead of organizing its own affairs and argued that the "known radicals" within the opposition's leadership should be replaced. Mehdiyev claimed that there are young, "forward-thinking" individuals within the opposition whom the established leadership does not allow to progress within its ranks. He called upon the opposition to give up "extremism and violence" and develop concrete platforms, something he said "none" of the Azerbaijani opposition had developed. Mehdiyev also urged the United States to provide the opposition training in the basics of party-building (Note: This is something we already provide through our USAID Democracy and Governance programs).

¶12. (C) Noting that neither violence nor intimidation should play any role in the political process, Lowenkron urged the GOAJ to engage the opposition. Mehdiyev agreed that engagement through dialogue was important, but complained that the opposition historically had insisted on holding a dialogue directly with President Aliyev. In previous rounds of dialogue, Mehdiyev said, the Presidential Apparatus and the ruling Yeni Azerbaijan Party (YAP) had invited the opposition to conduct a dialogue with YAP, an offer the opposition found unacceptable. The opposition "stops everything," Mehdiyev said. He further alleged that "this opposition doesn't recognize this President," arguing that the opposition in its media outlets and public conferences "never" identifies Ilham Aliyev as the "President of the Republic." "We want dialogue," Mehdiyev said, "the problem is on their side."

¶13. (C) Lowenkron urged the GOAJ to find some way for President Aliyev to show his support for dialogue with the opposition, even if he himself did not participate in every meeting. He could kick off the dialogue and re-engage personally in the course of these efforts. Mehdiyev noted that Azerbaijan had experience with this sort of dialogue, as then-President Heydar Aliyev had previously gathered all opposition leaders for dialogue before the opposition "violated" the initiative. "We are ready to do this again," Mehdiyev said "if you advise us to do so." Lowenkron responded that a GOAJ offer to begin dialogue with the opposition would be a very good signal.

ANTI-CORRUPTION

¶14. (C) Noting Mehdiyev's role as Chair of the GOAJ's Anti-Corruption Committee, Lowenkron asked Mehdiyev for an assessment of GOAJ anti-corruption achievements to-date. Mehdiyev responded that Azerbaijan had made progress over the last two years. The GOAJ has created the legal grounds for anti-corruption measures, including the creation of the "necessary institutions." Mehdiyev noted that, in reflection of Azerbaijan's progress, its rating on Transparency International's index of corruption perception had improved. However, he recognized that much work remains to be done, noting that the GOAJ is working on a new strategic program to combat corruption. Mehdiyev said he would welcome cooperation from the US and other international partners on the "preparation and elaboration" of the new GOAJ anti-corruption plan. Both Lowenkron and the Ambassador welcomed this offer. Mehdiyev then pledged to create a working group of "international organizations and state bodies" that will cooperate on the new GOAJ anti-corruption plan. Mehdiyev invited Pol/Econ chief to meet with Presidential Legal Advisor Fuad Alasgarov to begin talks on the new working group.

ELMAR HUSEYNOV'S MURDER

BAKU 00000079 004 OF 004

¶15. (C) Lowenkron asked Mehdiyev for an update on the GOAJ's investigation into the March 2005 murder of journalist Elmar Huseynov. Noting that the GOAJ had immediately asked for -- and received assistance from -- Turkish law enforcement authorities and the FBI -- Mehdiyev said the GOAJ has identified the murderers and provided concrete information, including their addresses, to the Georgian authorities. Although the GOAJ has appealed to the Government of Georgia to arrest and extradite these individuals, the Georgian Government has refused. Mehdiyev said he would welcome US assistance to "catch and arrest" the perpetrators. He added that the GOAJ still needs to find out "who organized this crime," as the GOAJ believes that the two Georgian citizens likely were acting on the orders of someone else. Mehdiyev noted that the "biggest criminal gang in Azerbaijan," (the

gang led by former senior Ministry of Internal Affairs official Haji Mammadov) had alleged that former Minister of Economic Development Farhad Aliyev was linked to Huseynov's murder. Lowenkron commented that there are still many unanswered questions surrounding the murder.

GEOPOLITICAL CONSIDERATIONS

¶16. (C) In closing, Mehdiyev thanked Lowenkron for his visit. He noted that President Aliyev considers the U.S. a strategic partner, and said that an increased number of visits will lead to a strengthening of the bilateral relationship. Mehdiyev also noted that Azerbaijan faces a very complex geopolitical situation; surrounded by Russia and Iran, in conflict with Armenia and threatened by a "fifth column of Iranians in Azerbaijan," it is difficult for Azerbaijan to maintain a stable and democratic state. Azerbaijan relies on the U.S. in this situation, Mehdiyev said, but the U.S. must view Azerbaijan's internal developments through a wider optic. Mehdiyev noted that Iranian Supreme Leader Khamenei had threatened to attack Azerbaijan, that Iranian Azeri-language television stations routinely criticize President Aliyev, and that opposition leader Isa Gambar had received a lot of Iranian press coverage during Azerbaijan's 2003 presidential election. In such a case, Mehdiyev said, we want the U.S, our friend, to be helpful and understand that we live a complicated region.

¶17. (U) A/S Lowenkron cleared this message.
DERSE